



# IPCB

Illinois Pollution Control Board

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## REGULAR BOARD MEETING MINUTES

February 14, 2019

11:00 a.m.

### Videoconference

**Chicago**  
100 W. Randolph Street  
Chicago, IL  
**Room 11-512**

**Springfield**  
1021 N. Grand Avenue East  
Springfield, IL  
**Conference Room 1244 N, First  
Floor**

### ANNOUNCEMENTS

Chairman Papadimitriu welcomed members of the public and staff.

### ROLL CALL

The Clerk of the Board called the roll. All five Board Members answered present.

### PUBLIC REMARKS

None.

### APPROVAL OF MINUTES

The minutes of the January 17, 2019 Regular Meeting were approved by a vote of 5-0.

## RULEMAKINGS

<a href="#"><u>R18-29</u></a>	<u>Amendments to 35 Ill. Adm. Code Subtitle M</u> – The Board adopted a first notice opinion and order in this rulemaking to amend the Board’s potentially infectious medical waste (PIMW) rules.	5-0
<a href="#"><u>R19-1</u></a>	<u>Proposed New 35 Ill. Adm. Code 204, Prevention of Significant Deterioration, Amendments To 35 Ill. Adm. Code Parts 101, 105, 203, 211, And 215</u> – The Board took no action on this matter.	
<a href="#"><u>R19-6</u></a>	<u>National Ambient Air Quality Standards, USEPA Regulations (January 1, 2018 through June 30, 2018) (Air)</u> – The Board adopted a final opinion and order in this “identical-in-substance” rulemaking amending the Board’s air pollution rules.	5-0
<a href="#"><u>R19-11</u></a>	<u>RCRA Subtitle C (Hazardous Waste) Update, USEPA Amendments (July 1, 2018 through December 31, 2018</u> – The Board adopted a proposal for public comment in this “identical-in-substance” rulemaking to amend the Board’s hazardous waste rules.	5-0

## ADJUSTED STANDARDS

## ADMINISTRATIVE CITATIONS

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## ADJUDICATORY CASES

<a href="#"><u>PCB 15-85</u></a>	<u>Aurora Generation, LLC v. IEPA</u> (Air – Permit Appeal, CAAPP) – The Board granted petitioner’s motion for voluntary dismissal of this permit appeal.	5-0
<a href="#"><u>PCB 15-86</u></a>	<u>Rockford Power, LLC and Rockford Power II, LLC v. IEPA</u> (Air – Permit Appeal, CAAPP) – The Board granted petitioner’s motion for voluntary dismissal of this permit appeal.	5-0
<a href="#"><u>PCB 15-87</u></a>	<u>Shelby County Energy Center, LLC v. IEPA</u> (Air – Permit Appeal, CAAPP) – The Board granted petitioner’s motion for voluntary dismissal of this permit appeal.	5-0
<a href="#"><u>PCB 15-157</u></a>	<u>Gary Polchow v. Village of Rankin</u> (Water, Air – Enforcement, Citizens) – The Board took no action on this matter.	

<a href="#"><u>PCB 17-21</u></a>	<u>Tri-County Electric Cooperative, Inc. v. IEPA (UST Appeal)</u> – The Board granted petitioner’s motion for voluntary dismissal of this underground storage tank appeal.	5-0
<a href="#"><u>PCB 18-9</u></a> <a href="#"><u>PCB 18-79</u></a> <b>(cons.)</b>	<u>Yongxin Enterprises, Inc. v. IEPA (UST Appeal)</u> – The Board granted petitioner’s motion for voluntary dismissal of these consolidated underground storage tank appeals.	5-0
<a href="#"><u>PCB 19-59</u></a>	<u>Leindl v. Hartsburg (Noise – Enforcement, Citizens)</u> – Finding the alleged violations frivolous, the Board declined to accept the complaint for hearing. The Board allowed complainants to file on or before April 1, 2019 an amended complaint curing the deficiencies specified in the order.	5-0
<a href="#"><u>PCB 19-71</u></a>	<u>Celeste Tapia and Michael W. Edwards v. Miller Container Corporation (Noise – Enforcement, Citizens)</u> – Finding the alleged violations frivolous, the Board granted respondent’s motion to dismiss the complaint. The Board allowed complainants to file on or before March 1, 2019 an amended complaint curing the deficiencies specified in the order.	5-0
<a href="#"><u>PCB 19-72</u></a>	<u>Guraya, Inc. v. IEPA (UST Appeal)</u> – Having previously granted a request for a 90-day extension, the Board dismissed this matter because no underground storage tank appeal was filed on behalf of this Henry County facility.	5-0
<a href="#"><u>PCB 19-84</u></a>	<u>Paul Swanson v. IEPA (Water – Tax Certification)</u> – The Board found and certified that specified facilities of Paul Swanson located in Knox County are pollution control facilities for the purpose of preferential tax treatment under the Property Tax Code (35 ILCS 200/11-10 (2016)).	5-0
<a href="#"><u>PCB 19-85</u></a>	<u>People of the State of Illinois v. Williamson Energy, LLC (Water – Enforcement)</u> – The Board accepted for hearing this water enforcement action involving a site in Williamson County.	4-0 Carter abstained
<a href="#"><u>PCB 19-86</u></a>	<u>People of the State of Illinois v. Emerald Cleaners, Inc., an Illinois corporation, d/b/a CD One Price Cleaners (Air – Enforcement)</u> – Upon receipt of a complaint, proposed stipulation and settlement agreement, and an agreed motion for relief from the hearing requirement in this air enforcement action involving a facility located in Lake County, the Board accepted the complaint for hearing and ordered publication of the required newspaper notice.	5-0

**OTHER ITEMS**

**ADJOURNMENT**

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Moved and seconded, by a vote of 5-0, Chairman Papadimitriu adjourned the Regular Board Meeting.



# IPC B

Illinois Pollution Control Board

## BROWN BAG LUNCH SEMINAR AGENDA

**February 14, 2019**

**12:00 p.m.**

**Videoconference**

100 W. Randolph Street  
Chicago, IL  
**Room 11-512**

AND

1021 N. Grand Avenue East  
Springfield, IL  
**Conference Rm 1244 N, 1<sup>st</sup> Floor**

**Learn More About the Illinois Small Business  
Environmental Assistance Program and the Regulatory  
Flexibility Program**

Ms. Fulgenzi and Ms. Khayyat, from the Office of Entrepreneurship, Innovation of the Illinois Department of Commerce & Economic Opportunity (DCEO), provided a PowerPoint presentation on programs DCEO administers to assist small businesses in the regulatory arena, including environmental regulation. The presentation included a discussion of the programs' missions, participation in the rulemaking process, and publications. A copy of the PowerPoint presentation will be posted on the Board's website (<https://pcb.illinois.gov>). The Board took no action on this matter.

**Annette Fulgenzi and  
Katy Khayyat, Illinois  
Department of  
Commerce & Economic  
Opportunity**

**ADJOURNMENT**

I, Don Anthony Brown, Clerk of the Illinois Pollution Control Board, certify that the Board approved the above minutes on February 28, 2019, by a vote of 5-0.

Don Anthony Brown, Clerk  
Illinois Pollution Control Board